

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

WILLIAM SZYMCAK, STEFAN SCHUELE,
KIM DREHER, MARIO LOPEZ, MELANIE
RIVERA, KATRINA BOYD, ANGELA
GREATHOUSE, CORNELIUS JACKSON,
DAVID SIMONS, LOLITA DILLARD, and
ANNE STEWART, individually and on behalf of
others similarly situated,

Plaintiffs,

vs.

NISSAN NORTH AMERICA, INC., and
NISSAN MOTOR CO., LTD.,

Defendants.

Civil Action No.: 10-CV- 07493(VLB)

**NNA'S RESPONSE IN SUPPORT OF
PLAINTIFFS' MOTION TO
CONSOLIDATE
RELATED ACTIONS AND IN
OPPOSITION TO PLAINTIFFS' MOTION
TO APPOINT CO-LEAD COUNSEL**

ELECTRONICALLY FILED

DAVID M. COVEY, an attorney duly admitted to practice law before the United States District Court for the Southern District of New York, hereby affirms the following to be true or, if stated upon information and belief, believes it to be true, under penalty of perjury:

1. I am a member of the law firm of Sedgwick LLP, attorneys for defendant, Nissan North America, Inc. (NNA), I am familiar with the facts, pleadings and prior proceedings of this action by virtue of my review of the file maintained in this office for the defense of this action.
2. This Affirmation is respectfully submitted in response to Plaintiffs' Motion to Consolidate Related Actions and Appoint Co-Lead Counsel (Dkt. #45).
3. Following review of Plaintiffs' Motion to Consolidate Related Actions and for Appointment of Co-Lead Counsel (Dkt. #45) and supporting papers, NNA does not oppose that portion of the Motion seeking consolidation in the interest of judicial economy.

4. NNA opposes that portion of the Motion seeking appointment of Plaintiffs' attorneys as co-lead counsel, on the grounds that such appointment is inappropriate and premature, and further incorporates the accompanying Memorandum of Law in Support of NNA's Opposition to Plaintiffs' Motion for Appointment of Co-Lead Counsel.

WHEREFORE, it is respectfully requested that this Honorable Court decide Plaintiffs' Motion in accordance with the above and grant Plaintiffs' Motion to Consolidate, deny Plaintiffs' Motion for Appointment of Co-Lead Counsel, along with such other, further and/or different relief, as this Honorable Court deems appropriate.

Dated: New York, New York
March 30, 2012

Respectfully submitted,

s/ David M. Covey

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Counsel for Defendant Nissan North America, Inc.

CERTIFICATE OF SERVICE

I herby certify that on the 30th day of March 2012, I caused to be filed the foregoing
**DEFENDANT NISSAN NORTH AMERICA, INC.'S RESPONSE TO PLAINTIFFS'
MOTION TO CONSOLIDATE RELATED ACTIONS AND APPOINT LEAD COUNSEL**
with the U.S. District Court. Notice will automatically be electronically mailed to the following
individuals who are registered with the U.S. District Court CM/ECF System:

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s/ David M. Covey
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